

REMARKS

As a result of this amendment, claims 7-9, 13-18, 28, 32-35, and 38 are now pending in this application.

Response to Claim Objections

Claim 38 was objected to for minor informalities. In response, applicant has amended the claim. Accordingly, applicant respectfully requests that the Examiner withdraw the objection.

Response to §102 Rejections Based on Yukawa

Claims 7, 10, 16, 29, 31, and 35 were rejected under 35 USC §102(e) as anticipated by Yukawa. (U.S. Patent 6,219,468). In response, applicant notes that this amendment cancels claims 10, 29, and 31. Additionally, applicant submits respectfully that Yukawa fails to meet each and every requirement of claims 7, 16, and 35.

For example, these claims require “an automatic gain controller for adjusting the adjustable amplifier gain based on the aggregate image signal.” In contrast, Yukawa reports an AGC circuit 7 responsive to monitor signals from monitor 3 or 4 in Figure 1 and from monitor 3a, 3b, 4a, or 4b in Figure 7. See, for example, column 4, lines 41-61, which state:

In either of the natural termination and the forceful termination of integration, when integration is terminated, the **monitor signal** supplied from the output selecting circuit 9 to the external microcomputer ... through a Vout terminal 46 is analog-to-digital (A/D) converted by an A/D converter 32 incorporated in the microcomputer ... at a timing of the termination of integration, and in accordance with the digital value, the factor of amplification applied to the outputs of the area sensors is decided. The amplification factor is transmitted to the control circuit 8 to set the amplification factor in the variable gain amplifier 10. When integration is naturally terminated, the amplification factor is one. In the case of the natural termination, the amplification factor may be set at one without the monitor signal being A/D converted to decide the amplification factor.

After the termination of integration, the outputs of the area sensors 1 and 2 are transferred to the horizontal transfer registers 21a and 21b and inputted to the variable gain amplifier 10 through the output buffers 24 and 25 and the switches 30 and 31 to be amplified at the amplification factor set previously.

Thus, it does not appear that one of skill would regard these particular monitor signals as being aggregate image signals.

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Accordingly, applicant requests respectfully that the Examiner reconsider and withdraw the §102 rejection of claims 7, 16, and 35.

Response to §102 Rejections Based on Dautriche

Claims 7, 10, 16, and 38 were rejected under 35 USC §102(e) as anticipated by Dautriche (U.S. Patent 6,184,752). In response, applicant notes that this amendment cancels claim 10. Additionally, applicant submits respectfully that Dautriche fails to meet each and every requirement of claims 7, 16, and 38.

For example, these claims require “an address line” and “a signal line, with each photodetector circuit of [the first group pixel or] one of the group pixels coupled to the address line and the signal line.” In contrast, the relevant portion of Dautriche’s Figure 5 show only four signal lines connected directly to dedicated output circuitry.

Accordingly, applicant requests respectfully that the Examiner reconsider and withdraw the §102 rejection of claims 7, 16, and 38.

Response to §103 Rejections Based on Yukawa or Dautriche

Claims 8, 9, 11, 12, 17, 18, 28, 30, and 34 were rejected under 35 USC § 103(a) as unpatentable over Yukawa or Dautriche; and claims 13-15, 19-21, 32, 33, 36, and 37 were rejected under 35 USC § 103(a) as being unpatentable over Yukawa in view of Clark. (U.S. Patent 6,133,563).

In response, applicant notes that this amendment cancels claims 11, 12, 19-21, 36, and 37 and 37. Further, applicant submits that even if the proposed modifications of Yukawa and Dautriche were permissible, it does not appear that they would overcome the failure of both Yukawa and Dautriche to meet all the requirements of independent claims 7 and 16. Thus, applicant requests respectfully that the Examiner reconsider and withdraw the §103 rejection of dependent claims 17, 18, 28, and 32-34.

Regarding claims 13-15, applicant submits respectfully that even if the proposed modifications of Yukawa and Dautriche were permissible, the results would not meet each and every requirement of these claims. For example, claims 13-15 require not only “an automatic gain controller for adjusting the adjustable amplifier gain based on the aggregate image signal”

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which Yukawa lacks, but also “an address line ... and a signal line, with each photodetector circuit of one of the group pixels coupled to the address line and the signal line” which Dautriche lacks. Thus, the proposed modifications would fail at least to provide these requisite features.

Accordingly, applicant requests respectfully that the Examiner reconsider and withdraw the §103 rejection of claims 13-15.

Reservation of Rights

Applicant reserves any rights not expressly exercised in or in conjunction with this response, including for example, the right to swear behind one or more of the cited reference, the right to rebut any tacit or explicit characterization of the references or the contents of the art, and the right to rebut any cited motivation for combination or modifications as well as the asserted results of any allegedly permissible combination or modification. Additionally, applicant makes no admissions regarding the status of any of the cited references as prior art, and only regards these as being of record.

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CONCLUSION

In view of the amended claims and these remarks, applicant requests respectfully that the Examiner reconsider and withdraw the rejections. Additionally, applicant invites the Examiner to telephone its patent counsel Eduardo Drake at (612) 349-9593 to resolve any issues that may delay allowance.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

DAVID J. MCELROY ET AL.

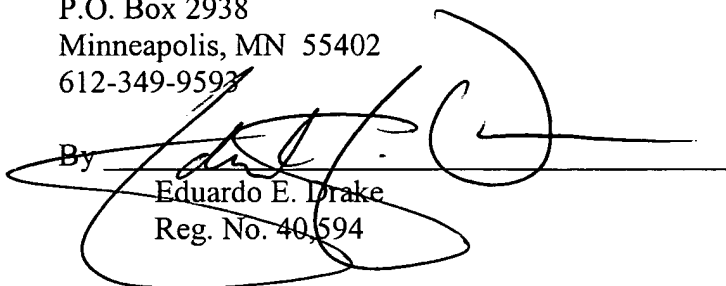
By their Representatives,

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Date

27 May 2003

By


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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, P.O.Box 1450, Alexandria, VA 22313-1450, on this 27 day of May, 2003.

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